Application No. 10/809,316
Amendment dated May 4, 2009
Response to Office Action of February 2, 2009

Atty. Docket No. 42P19298
Examiner Shiu, Ho T.
TC/A.U. 2457

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 20, 39 and 58 have been amended. Claims 21 and 40 are canceled herein. Claims 11, 30, 49 and 68 have been canceled previously. No claims have been added or canceled herein. Thus, claims 1-10, 12-20, 22-29, 31-39, 41-48, 50-67 and 69-76 are pending.

CLAIM OBJECTIONS

Claims 1 and 58 were objected to for inconsistencies. The inconsistencies identified in the Office Action have been corrected. Accordingly, Applicants request that the objections to claims 1 and 58 be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-10, 12-16, 18-29, 31-35, 37-48, 50-54, 56-67, 69-73, 75 and 76 were rejected as being unpatentable over U.S. Patent No. 6,243,809 issued to Gibbons, et al. (*Gibbons*) in view of U.S. Patent No. 5,978,912 issued to Rakavy, et al. (*Rakavy*) and further in view of U.S. Patent No. 7,318,173 issued to Falik, et al. (*Falik*) and U.S. Patent No. 6,484,262 issued to Herzi (*Herzi*). For at least the reasons set forth below, Applicants submit that claims 1-10, 12-16, 18-29, 31-35, 37-48, 50-54, 56-67, 69-73, 75 and 76 are not rendered obvious by *Gibbons, Rakavy, Falik* and *Herzi*.

Claim 1 recites:

> a trusted module coupled with the embedded hardware controller agent and the embedded firmware agent to provide ***mutual authentication*** with a server prior to the embedded firmware agent transferring control to the host operating system.

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Thus, Applicants claim an embedded firmware agent and an embedded hardware controller agent that are physical components of a host system interconnected by a bi-directional agent bus. There is also a trusted module to provide *mutual authentication* prior to control being passed to the host operating system. Claim 58 recites similar limitations.

Applicants agree with the Office Action that *Gibbons*, *Rakavy* and *Falik* dot not disclose a trusted module coupled with the embedded hardware controller agent and the embedded firmware agent to provide mutual authentication with a server prior to the embedded firmware agent transferring control to the host operating system. See page 6. The cited passage of *Herzi* merely discloses an authentication timer that prevents system boot if authentication has not been completed. This is not *mutual* authentication. That is, *Herzi* discloses authentication request to a network server and waiting for a security authentication response. Therefore, while *Herzi* discloses authentication, *Herzi* does not disclose mutual authentication. Accordingly, no combination of *Gibbons*, *Rakavy*, *Falik* and *Herzi* can teach or suggest the invention as recited in claims 1 and 58.

Claims 2-10, 12-16, 18 and 19 depend from claim 1. Claims 59-67, 69-73, 75 and 76 depend from claim 58. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that these dependent claims are not rendered obvious by *Gibbons*, *Rakavy*, *Falik* and *Herzi* for at least the reason set forth above.

Claim 20 recites:

> servicing requests from the embedded hardware controller agent during the management mode with an embedded firmware agent that is coupled within the host system, the embedded firmware agent having memory to store instructions and capable of executing the stored instructions, by communicating with the embedded controller agent over a

-17-

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> bi-directional agent bus wherein the embedded firmware agent services
> requests from the embedded controller agent by *interacting with a trusted
> platform module* to provide cryptographic operations.

Thus, Applicants claim operation of an embedded controller agent that services request

from an embedded controller agent by interacting with a trusted platform module to

provide cryptographic operations. Claim 39 recites similar limitations.

As discussed above, none of the cited references teach or suggest a embedded

controller agent that invokes a system management mode in the manner recited in the

claims. Therefore, no combination of *Gibbons*, *Rakavy*, *Falik* and *Herzi* can teach or

suggest the invention as recited in claims 20 and 39.

Claims 2129, 31-35, 37 and 38 depend from claim 20. Claims 48, 50-54 and 56

depend from claim 39. Because dependent claims include the limitations of the claims

from which they depend, Applicants submit that these dependent claims are not rendered

obvious by *Gibbons*, *Rakavy*, *Falik* and *Herzi* for at least the reason set forth above.

Claims 17, 36, 55 and 74 were rejected as being unpatentable over *Gibbons*,

Rakavy, *Falik* and *Herzi* and further in view of U.S. Patent No. 6,792,556 issued to

Dennis (*Dennis*). For at least the reasons set forth below, Applicants submit that claims

17, 36, 55 and 74 are not rendered obvious by *Gibbons*, *Rakavy*, *Falik*, *Herzi* and *Dennis*.

Applicants agree with the Office Action that *Gibbons*, *Rakavy*, *Falik* and *Herzi* do

not disclose security features. Whether or not combining *Dennis* with *Gibbons*, *Rakavy*,

Falik and *Herzi* is appropriate, *Dennis* does not cure the deficiencies of *Gibbons* and

Rakavy set forth above. Therefore, no combination of *Gibbons*, *Rakavy* and *Dennis* can

teach or suggest the invention as recited in claims 17, 36, 55 and 74.

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CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-10, 12-20, 22-29, 31-39, 41-48, 50-67 and 69-76 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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